


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 70]

नई दिल्ली, रविवार, दिसम्बर 30, 2001 / पौष 9, 1923

No. 70]

NEW DELHI, SUNDAY, DECEMBER 30, 2001 / PAUSA 9, 1923

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 30th December, 2001/Pausa 9, 1923 (Saka)

THE PASSPORTS (AMENDMENT) SECOND ORDINANCE, 2001

No. 11 of 2001

Promulgated by the President in the Fifty-second Year of the Republic of India.

An Ordinance further to amend the Passports Act, 1967.

WHEREAS the Passports (Amendment) Ordinance, 2001 was promulgated by the President on the 23rd day of October, 2001;

AND WHEREAS the Passports (Amendment) Bill, 2001 for replacing the said Ordinance was introduced in the Council of States and is pending in the Council of States;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the said Bill with certain modifications;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :-

- | | |
|--|-------------------------------|
| 1. (1) This Ordinance may be called the Passports (Amendment) Second Ordinance, 2001. | Short title and commencement. |
| (2) It shall be deemed to have come into force on the 23 rd day of October, 2001. | |

Insertion
of
new
sections
10A and
10B.

2. After section 10 of the Passports Act, 1967 (hereinafter referred to as the principal Act), the following sections shall be inserted, namely:- 15 of 1967.

Suspension
of passports
or travel
documents
in certain
cases.

‘10A. (1) Without prejudice to the generality of the provisions contained in section 10, if the Central Government or any designated officer is satisfied that the passport or travel document is likely to be impounded or caused to be impounded or revoked under clause (c) of sub-section (3) of section 10 and it is necessary in the public interest so to do, it or he may, —

(a) by order, suspend, with immediate effect, any passport or travel document;

(b) pass such other appropriate order which may have the effect of rendering any passport or travel document invalid,

for a period not exceeding four weeks:

Provided that the Central Government or the designated officer may, if it or he considers appropriate, extend, by order and for the reasons to be recorded in writing, the said period of four weeks till the proceedings relating to variation, impounding or revocation of passport or travel document under section 10 are concluded:

Provided further that every holder of the passport or travel document, in respect of whom an order under clause (a) or clause (b) of this sub-section had been passed, shall be given an opportunity of being heard within a period of not later than eight weeks reckoned from the date of passing of such order and thereupon the Central Government may, if necessary, by order in writing, modify or revoke the order passed under this sub-section.

(2) The designated officer shall immediately communicate the orders passed under sub-section (1), to the concerned authority at an airport or any other point of embarkation or immigration, and to the passport authority.

(3) Every authority referred to in sub-section (2) shall, immediately on receipt of the order passed under sub-section (1), give effect to such order.

Validation
of
intimations.

10B. Every intimation given by the Central Government or the designated officer, before the commencement of the Passports (Amendment) Second Ordinance, 2001, to any immigration authority at an airport or any other point of embarkation or immigration, restricting or in any manner prohibiting the departure from India of any holder of the passport or travel document under sub-section (3) of section 10, shall be deemed to be an order under sub-section (1) of section 10A and such order shall continue to be in force for a period of three months from the date of commencement of the Passports (Amendment) Second Ordinance, 2001 or the date of giving such intimation, whichever is later.

Explanation.- For the purposes of sections 10A and 10B, the expression “designated officer” means such officer or authority designated, by order in writing, as such by the Central Government.’

Ord. 8 of
2001.

3. (1) The Passports (Amendment) Ordinance, 2001 is hereby repealed.

Repeal and
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Ordinance.

K. R. NARAYANAN,
President.

SUBHASH C. JAIN,
Secy. to the Govt. of India.

